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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,146	12/21/2001	Thomas N. Turba	RA 5409 (33012/327/101)	2341

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EXAMINER

LU, KUEN S

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 04/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/028,146

Applicant(s)

TURBA, THOMAS N.

Examiner

Kuen S Lu

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-20 are rejected under 35 U.S.C. 102(b) as anticipated by Chau et al. (U.S. Publication 2002/0123993, hereafter "Chau").

As per Claims 1, 6, 11 and 16, Chung teaches the following:

"a data processing system having a user terminal coupled to a data base management system via a publicly accessible digital data communication network" at Fig. 1, where elements 102, 106 and 100 depict the user terminal, database management system and network, respectively and at the Abstract the system for transforming, storing and retrieving XML documents into and from relational database is described.

"a document containing a plurality of elements formatted in XML (extensible markup language) transferred from said user terminal to said data base management system" at the Abstract and Page 1, [0014] describing the background for the "invention" of transferring XML documents from the user system to a relational database and at Page 2, [0016] showing XML document has one or more elements or attributes is described; and

“an XML mapping tree via which the transformation of each of said plurality of elements is defined” at Fig. 10, element 1000 and Page 30, [0760] where a documents object model tree is generated from an XML formatted data access definition (DAD) and the DAD defines a mapping between relational data and one or more XML documents.

As per Claims 2, 8, 14 and 18, Chau teaches “at least one of said plurality of elements further comprises an attribute which is recorded within said XML mapping tree” at Page 5, [0097] and Page 6, [0108]-[0113] where attributes of elements starting from the root of a tree defined by a formal data model is described.

As per Claims 3 and 13, Chau teaches “document is defined by a Document Type Definition (DTD)” at the Abstract, last section where XML data is mapped from the application DTD to the relational database tables and columns using the document access definition.

As per Claims 4, 7, 12 and 17, Chau teaches “a storage space in which said XML mapping tree is stored for future use” at Page 30, [0760], lines 15-18 and Page 8, [0134] where DAD for mapping XML documents and relational database is created as a file which is a stored object and at Page 33, [0792] where DAD is also stored in database.

As per Claims 5 and 20, Chau teaches “XML mapping tree is displayed on said user terminal in a window” at Page 30, [0760], lines 15-18 and Page 8, [0134] where DAD for mapping XML documents and relational database is created as an XM file, and at Fig. 8, element 802 and Page 29, [0755] where DAD file is displayed.

As per Claims 9, 15 and 19, Chau teaches "publicly accessible digital data communication system further comprises the Internet" at Fig. 1, element 100 and Page 22, [0632] where internet is included in the network architecture.

As per Claims 10, Chau teaches "XML mapping tree is hierarchical" by combining Page 30, [0760] where mapping tree is created as an XML formatted file and Page 8, [0134] where DAD file itself is tree structured document.

### ***Conclusions***

6. The prior art made of record

A. U.S. Publication 2002/0123993

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

B. U.S. Publication 2002/0156811

C. U.S. Publication 2002/0078768

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is 703-305-4894. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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Art Unit: 2177

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Kuen S. Lu  
*K. Lu*  
Patent Examiner

April 19, 2004

*John E. Greene*  
JOHN GREENE  
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